

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CHILD CARE LICENSING BUREAU

In the matter of

License #: DG820401223
SIR #: 2021D0934013

Melissa Givens

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ORDER OF SUMMARY SUSPENSION
AND NOTICE OF INTENT TO REVOKE LICENSE

The Michigan Department of Licensing and Regulatory Affairs, by Division Director Erika Bigelow and Bureau Director Emily Laidlaw, Child Care Licensing Bureau, hereafter referred to as “the Bureau,” orders the summary suspension and provides notice of the intent to revoke the license of Licensee, Melissa Givens, to operate a group child care home pursuant to the authority of the Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.111 et seq., for the following reasons:

1. On or about March 4, 2020, Licensee was issued a license to operate a group child care home with a licensed capacity of 12 at 16516 Roselawn, Detroit, Michigan 48221.
2. Prior to the issuance of the license, and during subsequent modifications of the statutes and rules, Licensee received copies of the Child Care Organizations Act, the licensing rule book for family and group child care homes, and the Child Protection Law. These rules and statutes are posted and available for download at www.michigan.gov/lara.

3. Licensee failed to provide appropriate care and supervision, is not suitable to meet the needs of children and provide for their care, supervision, and protection, and is not conducive to the welfare of children. Specifically:
- a. On September 15, 2021, Child A (age [REDACTED] months) received a large burn on her leg while in Licensee's care.
 - b. On September 15, 2021, Child A's Mother picked up Child A from Licensee's home. As Child A's Mother was carrying her to the car, Child A began to cry. Child A's Mother removed Child A's pants and observed a large red mark on her leg. She went back to the house and asked Licensee if something happened to Child A. Licensee told her that Child A fell while playing outside.
 - c. On September 18, 2021, Child A's leg began to blister, and Child A's Mother realized that the injury was a burn and not a bruise. She continued to treat Child A's injury at home until September 20, 2021, at which time the skin came off and the burn began to "leak." Child A's Mother then took Child A to the hospital.
 - d. On September 20, 2021, Child A was treated at Detroit Medical Center Children's Hospital of Michigan and diagnosed with a second-degree burn with partial thickness to her right thigh approximately six centimeters by four centimeters in size.
 - e. On September 23, 2021, Licensing Consultant LaTanya Ellington, accompanied by [REDACTED], [REDACTED], conducted an on-site investigation at

Licensee's home and interviewed Licensee. Licensee indicated that Child A was present at her home on September 15, 2021, and fell while playing outside. She acknowledged that Child was doing well when she arrived at her home on September 15, 2021, and that she did not observe any injuries to her leg during diaper changes that day. She denied knowing how Child A was burned while in her care.

f. On September 29, 2021, Child A was examined at Children's Hospital Medical Burn Center.

g. On September 30, 2021, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

4. Licensee failed to maintain a ratio of one caregiver for every four children under the age of 30 months. During the investigation, Ms. Ellington reviewed Licensee's attendance records for September 15, 2021. There were six children present that day with five of the children under the age of 30 months. Licensee was the only caregiver present.

COUNT I

The conduct of Licensee, as set forth in paragraphs 3(a) through 3(g) above, evidences a willful and substantial violation of:

R 400.1911

(1) A licensee shall ensure appropriate care and supervision of children at all times.

COUNT II

The conduct of Licensee, as set forth in paragraphs 3(a) through 3(g) above, evidences a willful and substantial violation of:

R 400.1902

(2) An applicant or licensee shall be of responsible character and shall be suitable and able to meet the needs of children and provide for their care, supervision, and protection.

COUNT III

The conduct of Licensee, as set forth in paragraphs 3(a) through 3(g) above, provides grounds for revocation pursuant to:

MCL 722.115m

(2) If the department determines that a service, facility, applicant, licensee, child care staff member, or member of the household is not conducive to the welfare of the children, the department shall deny that application or revoke that licensee's license according to section 11.

NOTE:

MCL 722.115m

(13) As used in this section:

(b) "Conducive to the welfare of the children" means:

(i) The service and facility comply with this act and the administrative rules promulgated under this act.

(ii) The disposition, temperament, condition, and action of the applicant, licensee, licensee designee, program director, child care staff member, and member of the household promote the safety and well-being of the children served.

COUNT IV

The conduct of Licensee, as set forth in paragraph 4 above, evidences a willful and substantial violation of:

R 400.1910

(2) For each member of the personnel, not more than 4 children shall be under the age of 30 months, with not more than 2 of the 4 children under the age of 18 months.

DUE TO THE serious nature of the above violations and the potential risk it represents to vulnerable children in Licensee's care, emergency action is required. Therefore the provision of MCL 24.292 of the Administrative Procedures Act of 1969, as amended, is invoked. Licensee is hereby notified that the license to operate a group child care home is summarily suspended.

EFFECTIVE 6:00 p.m., on October 1, 2021, Licensee is ordered not to operate a group child care home at 16516 Roselawn, Detroit, Michigan 48221, or at any other location or address. Licensee is not to receive children for care after that time or date. Licensee is responsible for informing parents or guardians of children in care that license has been suspended and that Licensee can no longer provide care.

HOWEVER, BECAUSE THE Department has summarily suspended Licensee's license, an administrative hearing will be promptly scheduled before an administrative law judge. Licensee MUST NOTIFY the Department and the Michigan Office of

Administrative Hearings and Rules in writing within seven calendar days after receipt of this Notice if Licensee wishes to appeal the summary suspension and attend the administrative hearing. The written request must be submitted via MAIL or FAX to:

Michigan Office of Administrative Hearings and Rules
611 West Ottawa Street, 2nd Floor
P.O. Box 30695
Lansing, Michigan 48909-2484
Phone: 517-335-7519
FAX: 517-763-0155

MCL 24.272 of the Administrative Procedures Act of 1969 permits the Department to proceed with the administrative hearing even if Licensee does not appear. Licensee may be represented by an attorney at the administrative hearing.

10/01/2021

DATED:



Erika Bigelow, Division Director
Child Care Licensing Bureau

DATED:10/1/2021



Emily Laidlaw, Director
Child Care Licensing Bureau

This is the last and final page of the ORDER OF SUMMARY SUSPENSION AND NOTICE OF INTENT in the matter of Melissa Givens, DG820401223, consisting of six pages, this page included.

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PROOF OF SERVICE

The undersigned certifies that a copy of the Order of Summary Suspension and Notice of Intent was personally served upon the person below on ____/____/____ at ____:____ a.m. or p.m.

Melissa Givens
16516 Roselawn
Detroit, Michigan 48221

Served by:

Child Care Licensing Consultant
Child Care Licensing Bureau